IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY FIRST DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE SRI DEVINDER GUPTA,THE CHIEF JUSTICE

and
THE HON'BLE MR JUSTICE C.V.RAMULU

WRIT PETITION NO : 12537 of 2004

Between:

Prathima Educational Society, Rep by its Chairman & Managing Director B. Srinivasa Rao, S/o. Muralidhar Rao, aged 42 years, R/o. Prathima House, 6-3-252/2/6, Naveen Nagar, Erram Manzil, Hyderabad.

..... PETITIONER

AND

1 The Government of Andhra Pradesh, Rep by its Secretary, Health, Medical & Family Welfare Department, Secretariat, Hyderabad.
2 N.T.R. University of Health Sciences, rep by its Registrar, Vijayawada.
3 Justice R.Bayapu Reddy Committee, rep by its Member secretary 1st floor, (South Wing) Gagan Vihar, M.J. Road, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction more particularly one in the nature of Writ of Mandamus the action of the 3rd respondent in recommending a common fee structure for all private unaided Medical Colleges in the State and in fixing fees for category "A", "B", and "C", seats instead of one common fee structure for each institution, as being contrary to the Judgments of the Hon'ble Supreme Court in violation of the principles of natural justice, arbitrary and illegal and to consequently direct the 3rd respondent to fix the fee structure of the Petitioner Institution for the academic years 2004-2005, 2005-2006 and 2006-2007 after considering the documents and records submitted by the petitioner Institution and after giving it an opportunity of personal hearing.

Counsel for the Petitioner:MR.RAMESH RANGANATHAN

Counsel for the Respondent No.1: G.P. FOR MEDICAL AND FAMILY WELFARE.

Counsel for the Respondent No 2: SMT.Y.PADMAVATHI

The Court made the following :

ORDER: (per Hon'ble Sri Devinder Gupta, The Chief Justice)

Learned Counsel for the petitioner states that after filing the writ petition, the petitioners has noticed that on 15-07-2004, an order has been passed by the Committee for fixation of fee structures in private unaided professional colleges, which was received by the petitioner on 19/07/2004 and the petitioner will have to challenge the legality and validity of the said order. He prays that petition be dismissed as withdrawn with liberty to file fresh petition challenging the said order dated 15-07-2004.

Reserving such leave and liberty; the writ petition is dismissed as withdrawn.

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DEVINDER GUPTA, CJ.

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21st July, 2004 C.V.RAMULU, J.

Pnb/Jsu

To

1 The Secretary, The Government of Andhra Pradesh, Health, Medical & Family Welfare Department, Secretariat, Hyderabad.
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